

Calendar date of 6/21/10

All corrections to notes on this calendar should be filed by 6/14/10. Documents filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

**The Probate Examiners can be reached at
ProbateNotes@sb-court.org.**

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH ***PROBATE***

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO DS1000343

CASE NAME: THE MANUEL M. GUTIERREZ LIVING TRUST

HEARING:
Petition for TO DETERMINE EXISTENCE & VALIDITY OF TRUST FOR
REMOVAL OF TRUSTEE & APPOINT SUCCESSOR TRUSTEE

COUNSEL:
DAMIEN GUTIERREZ (PET)...FULLERTON LEMANN SCHAEFFER & D
THE MANUEL MGUTIERREZ LIVING T(TRU)...

No notes at this time as the file is currently in review by Legal Research.
(kra)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO DS1000369

CASE NAME: MTR OF MARY A CRAWFORD

HEARING:
Spousal Property Petition hearing.

COUNSEL:
JAMES A CRAWFORD (PET)...ALBERTSON & DAVIDSON LLP
MARY A CRAWFORD (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Decedent died intestate on 12/19/07 and is survived by spouse and children.
2. Section 5a(2) is incomplete as to issue of predeceased children. Need verified supplement.
3. Petitioner requests determination of decedent's real and person property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
4. Petitioner states that he and decedent were married in 1947 in Illinois and that they resided in California since 2002. Petitioner alleges that no assets of substantial value were brought into the marriage and that all of their assets were acquired during the marriage. Petitioner lists both real and personal property as property that should be determined as community property (CP). However, petitioner has not stated when the property was acquired, how the property was acquired (i.e.: with community or separate assets) or how property is titled.
5. Petitioner has listed 2 parcels of real property located outside California (Indiana and Illinois). Quasi-community property is defined as property situated in this state acquired while domiciled elsewhere that would have been CP if it was acquired by the decedent while domiciled in this state per Pr.C.§66. Need points and authorities to determine and or confirm property located in another state.

6. Among assets listed are several bank accounts and IRAs. Question if any of these accounts had a named beneficiary. Need verified supplement.

RECOMMENDATION:

Court's discretion.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY

HEARING:

Hearing Re: Status re: Settlement

COUNSEL:

RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
RAYMOND P HORSPOOL AND MARGARET (TRU)...JAMES B CHURCH
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...DAUN DE VORE
MORTGAGE ELECTRONIC REGISTRATI (CC)...FOLEY AND MANSFIELD
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS)...AN
BARBARA E. HOWARD ()...

No calendar notes will be prepared. Judge to decide.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0600335

CASE NAME: MTR OF MARY L HOLMES

HEARING:
Probate status report filed.

COUNSEL:
MARILYN REST (PET)...ELISABETH KEMPE-OLINGER
MARY L HOLMES (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...
OLD REPUBLIC INSURANCE COMPANY(SEALS & TENNENBAUM)...SEALS & T

GENERAL INFORMATION
Letters issued 3/20/07, no bond.

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the real property has not yet sold.
2. Petitioner requests an extension of one year in order to close the administration.

RECOMMENDATION:
If approved, court to set hearing re accounting review for **6/27/11**.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0600342

CASE NAME: ULRYC LUKE WILLIAMSON
COMPANION FILE= VCVS00543.

HEARING:

FIRST AND FINAL Account and Report of KIMBERLY STOCKS and Petition for fees

COUNSEL:

KIMBERLY STOCKS (PET)...ROBERT L KERN
ULRYC LUKE WILLIAMSON (DEC)...
GARY WILLIAMSON (PET)...LENITA A SKORETZ
DEPARTMENT OF HEALTH CARE SERV(AGN)...
KIMBERLY STOCKS (PET)...ROBERT L KERN
JASON WILLIAMSON (OBJ)...ROBERT L KERN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Partial No. 1 inventory filed. Need final I&A.
2. Statutory fees are \$2,360.00. ok
3. Petitioner requests extraordinary compensation of \$1,345.00 for services in defending the estate against the will contest and preparing and selling the real property. Petitioner basis the compensation on rate of \$25/hour for a total of 53.8 hours. Itemized (exhibit C). JTD
4. Attorney requests extraordinary fees of \$10,925.00 for services related to the will contest and the sale of estate's sole asset real property.
 - a. Billing is based on a rate for attorney at \$400/hour and paralegal at \$125/hour for a total of 24.5 hours. However, itemization (exhibit B) does not show what tasks were performed by the attorney or paralegal. Need itemization and paralegal qualifications per CRC 7.703.
 - b. The court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have actually been

earned. (In re Walker's Estate (1963) 221 Cal. App. 2d 792). File verified supplement.

RECOMMENDATION:

Need to clear notes 1 & 4. If approved, court to set hearing re filing receipts and final discharge for **6/27/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700201

CASE NAME: ELMER THOMAS BEACH

HEARING:
Hearing re Final Discharge

COUNSEL:

LAURA GRECH-WILLIAMS	(PET)...	ROBERT E PEARSON
ELMER THOMAS BEACH	(DEC)...	
LAURA GRECH-WILLIAMS	(PET)...	ROBERT E PEARSON
CINDY STOEFFLER	(OBJ)...	SANDRA
KELI SIMPSON	(SANDRA)...SANDRA
MICHAEL STOEFFLER	(SANDRA)...SANDRA

GENERAL INFORMATION

Continued from **02/01/10**. No appearance.

Continued from 3/22/10 and 5/3/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Order on Amended Final Account and distribution was approved on 12/10/09.
2. Need receipt of distribution for Fred Clauson and receipt with original signature of Laura Yochem.
3. Need Ex-parte Petition/Order for Final Discharge submitted.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(kra/abs/kra/cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700439

CASE NAME: MARY G KING

HEARING:
Accounting Review

COUNSEL:
CHRISTINE WOODFORD (PET)...BEVERLY A. SPARROW
MARY G KING (DEC)...
LAWRENCE A DEAN II (PET)...SHERRI L KASTILAHN
JEFFREY KING (PET)...PRO/PER
CAROLYN KING LUCAS (TP)...ROGER VON KAESBORG
MELODIE Z SCOTT (PRO/PER)...PRO/PER

GENERAL INFORMATION:
Continued from 4/12/10.

THIS CASE IS SET FOR HEARING ON status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of Administration with limited authority issued 12/10/07, no bond.
2. Last status report approved 4/6/09.
3. Final inventory filed. However, sections 3-5 are incomplete. Need a Corrected Final I&A.
4. No accounting or status report filed.

RECOMMENDATION:
Inquire status of accounting.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700817

CASE NAME: MTR OF JOYCELIN CASTRO

HEARING:
Probate status report filed.

COUNSEL:
JENNIFER CANDLER (PET)...JESSICA C ALEXANDER
JOYCELIN CASTRO (DEC)...
ZOE INNIS (PET)...PRO/PER
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER

GENERAL INFORMATION:

At 10/1/07 hearing on petition for letters of administration, Court directed special administrator to prepare an informal accounting.

Continued from **11/16/09, 1/21/10** and **3/8/10** to clear notes.

Continued from 5/3/10 Court suspends powers of Jennifer Candler. Citation issued for Jennifer Candler and Jessica Alexander to appear.

THIS CASE IS SET FOR HEARING ON Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Letters of special administration issued 9/25/07. General letters issued 8/7/08. \$100,000 bond.
2. Petitioner states no requests for special notice filed. However, Request for Special notice filed by Franchise Tax Board 5/1/09.
3. Petitioner requests an additional 6 months to close the estate in order to negotiate payment of creditor claims from the proceeds of the sale of the estate's assets. JTD.
4. Need notice of hearing and proof of service upon Franchise Tax Board.
5. Objections to Status Report filed by Attorney Sherri Kastilahn, guardian ad litem for Antoinette Harris. Counsel demands an accounting. Accounting is filed (see page 9A)
6. Response to objections are also filed.

7. **Need return of citations issued to Jennifer Candler and Jessica Alexander .**

RECOMMENDATION:

Need to clear notes and then Court's discretion.

(fhl/gls/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800117

CASE NAME: MTR OF MINNIE BEATRICE GARLAND

HEARING:
Accounting Review

COUNSEL:
TINA A GARLAND-MITCHELL (PET)...PRO/PER
MINNIE BEATRICE GARLAND (DEC)...
RHONDA GARLAND (OBJ)...STEPHEN A MADONI

GENERAL INFORMATION

Continued from **12-08-09** Tina Garland-Michell is ordered to file an accounting for the period of 07-30-08 to 07-29-09. Nothing new filed.

Continued from 2/2/10. court orders Ms. Garland-Mitchell to appear personally.

Continued from 4/12/10 as Court orders Tina Garland-Mitchell to file a status report within 30 days from this date.

THIS CASE SET FOR HEARING ON Accounting Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued 07/30/08, full authority, no bond.
2. Final Inventory and Appraisal filed. However, section 5 is incomplete. Need property tax certificate.
3. Need accounting or probate status report.

RECOMMENDATION:

Need to clear notes 2 & 3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. There is no bonding company to notice. No bond company to notice.

(cbr/vet/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800293

CASE NAME: SPECIAL NEEDS TRUST OF ALMA L CUMMINGS

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONAL CET (PET)...BRUNICK MCELHANEY & BECKETT

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Second account approved 6/15/09.
2. No accounting filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800751

CASE NAME: MICHAEL R HENRICH
COMPANION FILE= RFLRS039631.

HEARING:
Accounting Review

COUNSEL:
JOVAN R HENRICH (PET)...
MICHAEL R HENRICH (DEC)...
WELLS FARGO CARD SERVICES (TP)...PRO/PER
RAYMOND F MOATS III (WELTMAN, WEI NBERG & REIS)...WELTMAN,

GENERAL INFORMATION:
Continued from **12/3/09** at request of counsel.
Continued from **1/11/10** as I&A to be heard with the accounting.
Continued from 3/15/10 and 4/19/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters Testamentary issued 10/1/08 (full authority, no bond).
2. No inventory and appraisal filed.
3. No accounting or status report is filed.

RECOMMENDATION:
Find out status.
(gls/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800979

CASE NAME: ROBERT H JACKSON JR
SEE ALSO 13 & 14

HEARING:
Petition for SPOUSAL PROPERTY PETITION

COUNSEL:

ROBERT L JACKSON	(PET)...	BRYAN C. HARTNELL
ROBERT H JACKSON JR	(DEC)...	
KUNLAYA GITTINGS	(PET)...	TOMLINSON, PRINCE, CULLEN & LE
HARRY PENNINGTON	(TP)...	PRO/PER

GENERAL INFORMATION:

Continued from **06/02/09** at request of counsel pending discovery.
Continued from **08/11/09, 09/22/09** and **11/3/09** at request of counsel.
Continued from 12-22-09, 2/23/10 and 4/20/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, surviving spouse, is requesting the decedent's half of the community property and confirming her half of ATM Express business. However, section 1(b) is not consistent with the request in section 7(b) re confirming her half of the community property. Need verified supplement.
2. The will leaves real and personal property to petitioner including the ATM Express business requested. However, the Inventory and Appraisal provided also indicates a Bank of America bank account. Question whether it is petitioner's intention to also acquire decedent's half of the Bank of America community property? Need verified supplement.
3. Need Notice of Hearing with proof of service.
4. No objections are filed at the time of the review of this file.

RECOMMENDATION:

Need to clear notes then Court's discretion.
(/cbr/abs/vet/gls/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800979

CASE NAME: ROBERT H JACKSON JR
SEE ALSO 12 & 14

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

ROBERT L JACKSON	(PET)...	BRYAN C. HARTNELL
ROBERT H JACKSON JR	(DEC)...	
KUNLAYA GITTINGS	(PET)...	TOMLINSON, PRINCE, CULLEN & LE
HARRY PENNINGTON	(TP)...	PRO/PER

GENERAL INFORMATION

Exparte for special letters heard on 11-6-08 and continued to 12-9-08.

Continued from **12-9-08**. Only new thing filed was a request for special notice.

Continued from **2-3-09** and **04-21-09**.

Continued from **06/02/09** at request of counsel pending discovery.

Continued from **08/11/09**, **09/22/09** and **11/3/09** at request of counsel.

Continued from 12-22-09 and 2/23/10. Still working on discovery.

THIS CASE IS SET FOR HEARING ON Petition to administer, with full Independent Administration of Estates Act authority and \$20,000 bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the son of the decedent. Decedent died on 9-30-08. Petitioner states that the decedent and his surviving spouse had both community and separate property. Petitioner claims that the majority of the decedent's business was separate property. Petitioner alleges that the spouse has indicated intent to sell the business and that the spouse will not cooperate in the determination of assets and refuses to open a probate. Petitioner believes a will exists, but has not been able to locate it. If he locates a will, it will be lodged and he will seek to have it admitted.
2. Petitioner indicates that, as he does not know what the separate property assets are, he does not know what the bond should be. He requests that bond be set at the minimum pending filing of the inventory and appraisal. Suggest court set bond

at minimum \$20,000 and order petitioner and counsel to advise the court immediately of receipt of assets into the estate in excess of \$20,000. JTD

RECOMMENDATION:

Court to determine prior matter (#13) before ruling in this matter. Court will have to determine issue of bond. If petition granted, set future hearing for Accounting/Status Review on **6/28/11**. Accounting to be filed 30 days in advance.

(NMT/cbr/NMT/vet/cbr/abs/vet/gls/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800979

CASE NAME: ROBERT H JACKSON JR
SEE ALSO 12 & 13

HEARING:
Ex parte hearing re: special administration

COUNSEL:
ROBERT L JACKSON (PET)...BRYAN C. HARTNELL
ROBERT H JACKSON JR (DEC)...
KUNLAYA GITTINGS (PET)...TOMLINSON, PRINCE, CULLEN & LE
HARRY PENNINGTON (TP)...PRO/PER

See notes on prior page (matter #13).
No calendar notes as this is on for Ex-parte hearing.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900347

CASE NAME: BESSIE E. BURRIS

HEARING:

VERIFIED REPORT & Account and Report of DOLORES MARIE DOUTHIT
and Petition for allowance of fees filed.

COUNSEL:

DOLORES MARIE DOUTHIT (PET)...BRADLEY
BESSIE E. BURRIS TRUST (TRU)...
BONNIE BARNES (OBJ)...RICHARD M. GHAN
CLYDE GARRETT (RICHARD M. GHAN)...RICHARD M

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to compel trustee to account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner, Dolores Douthit, is granddaughter of decedent and beneficiary of the Bessie Burris Trust dated 11/27/02. Decedent died 5/16/08. The current successor trustees are Bonnie Barnes and Clyde Garrett.
2. Petitioner previously filed a safe harbor petition, which the Court ruled on 9/3/09 that certain parts of the petition did not violate the no contest clause such as the request for copies and accounting, but that other issues will need to be litigated. Petitioner, now brings a petition to compel trustees to account.
3. Petitioner alleges that a request for an accounting was made and the Court found that the accounting provided was not a proper trust accounting (3/9/09).
4. Petitioner requests the Court
 - a. Order trustees to file a complete accounting and report covering the period 5/16/08 to the present;
 - b. Order freezing accounts, returning trust assets, enjoining trustee from encumbering, alienating or transferring trust property, and require trustee to refrain from using trust assets for their personal benefit.
 - c. Order surcharging trustee for loss of depreciation, profit through breach of trust.

- d. Order denying or reducing compensation of trustee and attorney.
- 5. Need notice of hearing and proof of service.

RECOMMENDATION:

Need notice, then Court's discretion.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900491

CASE NAME: DONALD M. BATTLES

HEARING:

FIRST AND FINAL Account and Report of STEVEN F BATTLES and
Petition for allowance of fees filed.

COUNSEL:

STEVEN F BATTLES (PET)...ELISABETH KEMPE-OLINGER
DONALD M BATTLES (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final
distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Statutory fees are \$6,824.93. Petitioner requests a reduced fee of \$1,500 and
waives any fee over that amount.
2. Attorney requests extraordinary fees of \$2,106.00 for services relating to the
sale of real property. billing is based on a rate of \$270/hour for 7.8 hours. JTD
3. Petitioner requests to withhold \$1,900 for closing expenses.

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **6/27/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900650

CASE NAME: Linn Weiss Derickson

HEARING:

Motion Re: for orders compelling further responses to form
interrogatories etc Filed by Petitioner JANET WHELAN

COUNSEL:

LINN W DERICKSON JR	(PET)...RICHARD G ANDERSON
LINN WEISS DERICKSON	(DEC)...
G. MITCHELL LIPPERT	(PET)...THOMAS W DOMINICK
MARY SUE DERICKSON	(OBJ)...KIBRE & HORWITZ LLP
G. MITCHEL LIPPERT	(FULLERTON LEMANN SCHAEFFER & D)...FULLERTON
JUDITH A HUGHES	(ALLAR, SHELTON & O'CONNOR)...ALLAR, SH
JANET WHELAN	(ROBERT L KERN)...ROBERT L
KEITH S WALKER	(ALLAR, SHELTON & O'CONNOR)...ALLAR, SH

No calendar notes will be prepared. Judge to decide.

FUTURE HEARINGS:

6/21/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900895

CASE NAME: MTR OF EULA MAE JONES

SEE ALSO 19

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

SHANDA JONES-BUREL (PET)...BANKS GARCIA & JANIS
EULA MAE JONES (DEC)...
CYNTHIA M MARTIN (PET)...BRYAN C. HARTNELL

GENERAL INFORMATION:

Continued from **2/1/10** for Cynthia Martin to file a competing petition as she objects.

Continued from **03/08/10** to be heard with competing petition.

Continued from 4/8/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON

Petition 1 - Petition for Letters of Administration with full authority under IAEA

Petition 2 - Petition for Letters of Administration with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

Petitioner 1 – Jones (post-deceased spouse's niece)

1. Petitioner requests bond of \$215,000. Appears adequate.
2. Section 5a(1) and 8 indicate a surviving spouse, Jimmie Jones, and address. However, petitioner explains that Jimmie Jones post-deceased decedent.
3. Petitioner alleges she is the niece of Jimmie Jones and appointed personal representative of the Jimmie Jones Estate (PROPS0900350). Petitioner argues that though decedent is survived by 2 daughters (one of which is now deceased), petitioner has a higher priority for appointment as she stands in his place as representative. Though there is no argument that a surviving spouse would have priority, petitioner presents no authority directly supporting petitioner's argument that a personal representative of the surviving spouse has priority of appointment equal to the spouse.

Petitioner 2 – Martin (decedent's daughter)

1. Petitioner is requesting that any proceeds from the sale of the only asset be placed into a blocked account at Inland Community Bank.
2. Petitioner indicates that she has priority over competing petitioner per Pr. C. § 8461 whereas the personal representative of the post-deceased spouse is of 18th priority and petitioner is second highest priority.
3. Need proof of publication.

RECOMMENDATION:

Need to clear notes. Petitioner Cynthia Martin appears to have higher priority per Pr. C. § 8461 over Petitioner Jones. If approved, set future hearing for Accounting/Status Review on **06/16/11**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(kra/abs/kra/cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900895

CASE NAME: MTR OF EULA MAE JONES

SEE ALSO 18

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

SHANDA JONES-BUREL	(PET)...	BANKS GARCIA & JANIS
EULA MAE JONES	(DEC)...	
CYNTHIA M MARTIN	(PET)...	BRYAN C. HARTNELL

See notes on prior page (matter #18).

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: RPR RS02657

CASE NAME: NARINDER SINGH

HEARING:
Accounting Review

COUNSEL:
CATHERINE S HICKS (PET)...HARTNELL, LISTER & MOORE
NARINDER SINGH (DEC)...
JASVIR KAUR BHINDER (OBJ)...NEERA K GHUMAN
AMERICAN CONTRACTORS INDEMNITY(PRO/PER)...PRO/PER

GENERAL INFORMATION

Continued from 3/15/10 and 4/19/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Last status report approved 3/9/09.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: SPR SS04730

CASE NAME: ESTATE OF WALLACE F. POWELL

SEE ALSO COMPANION FILE SPRSS04731 ON FOLLOWING PAGE.

HEARING:

FIRST AMENDED FIRST AND FINAL Account and Report of MARTIN E.
KELLER and Petition for allowance of fees filed.

COUNSEL:

MARTIN E. KELLER	(PET)...MARTIN E KELLER
WALLACE F. POWELL	(DEC)...
WILLIAM J BRUNICK	(TP)...BRUNICK BATTERSBY MCELHANEY &
WALLACE F POWELL	(MARC W INGERSOLL)...MARC W IN

GENERAL INFORMATION:

Continued from 6/8/09 at request of counsel.

Continued from 8/10/09, 9/28/09, 12/03/09, 1/25/09, 03/22/10 and 4/26/10 at request of counsel. Nothing new filed since 12/3/08.

THIS CASE IS SET FOR HEARING ON: **Amended** 1st & final account and petition for fees and final distribution (filed 12/3/08)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Sole heir for both estates (Wallace and Lorraine) is Harold Humphrey (nephew), as neither decedent survived the other as outlined in the wills.
2. Never filed the financial statements with the I & A. Must file now.
3. No period of account listed. Need verified supplement listing the period that the account covers per Pr.C.§1061.
4. Need account statements confirming assets on hand per Local Rule 20-908.
5. On the Summary of Account, petitioner lists gains/losses on sale as itemized in Schedule C. There is no Schedule C affixed. Need same.
6. On 8/1/03-8/14/03, there are three "cash" disbursements totaling \$7850. Need itemization of the purpose of this expense.
7. Questions re: receipts:

- a. Why was the 2001 Honda Civic sold to Mariah Humphrey on 5/16/03 for \$1. This asset was appraised at \$6,500 on 11/8/01?
- b. Disparity in accounting from Lorraine, which lists all receipts in joint form. Does not list the Pacific Life Insurance Company receipt. The receipt from Wallace's estate lists that entry. Explain. This also affects the amount of assets on hand as reported in the two estates. Need verified supplement to explain these issues.
8. Need to report actions taken under IAEA power, such as sales of property. Need to indicate loss/gain on sale of real property, and as to all assets. For example, what happened to the coins? The jewelry? The gun? The household furnishings? No indication that these items of personal property were sold, but they do not appear on the list of property currently on hand. What happened to them? File verified supplement.
9. What happened to all the bank accounts? What about cash? The Treasury Direct Account? File verified supplement.
10. What happened to the Harold Humphrey promissory note? File verified supplement.
11. Need to file copy of escrow closing statement per local rule 20-910.
12. Petitioner requests statutory commission of \$14,517.63.
13. Petition filed by Keller, in pro per, on 3-20-02. Substitution of Attorney to Brunick on 5-9-02. Letters/order under Keller, pro per. No further activity in file until 6-20-03, when Keller filed a Petition for Orders relating to the estate. On that date, substitution of attorney was filed, back to Keller in pro per. Petitioner is requesting that Brunick be paid \$2500 as a "partial statutory fee". Petitioner alleges that the sole heir has agreed to such payment of fees. Question how the estate was benefited. Need verified supplement.
14. No notice has ever been filed. Need notice of hearing and proof of service on beneficiary and upon special notice (Brunick). Also need notice on First Amended Account.

RECOMMENDATION:

Need to clear notes.

(kra/smj/kra/cbr/kra/cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: SPR SS04731

CASE NAME: ESTATE OF LORRAINE B. POWELL

SEE ALSO COMPANION FILE SPRSS04730 ON PREVIOUS PAGE.

HEARING:

FIRST AMENDED FIRST AND FINAL Account and Report of MARTIN E.
KELLER and Petition for allowance of fees filed.

COUNSEL:

MARTIN E. KELLER	(PET)...MARTIN E KELLER
LORRAINE B. POWELL	(DEC)...
WILLIAM J BRUNICK	(TP)...BRUNICK BATTERSBY MCELHANEY &

See notes on prior page – same issues in both cases as husband/wife estates.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: SPR SS07061

CASE NAME: MTR RE HERNANDO IVAN SABOGAL

HEARING:
Accounting Review

COUNSEL:
MYRNA SONIA SABOGAL (PET)...PRO/PER
HERNANDO IVAN SABOGAL (DEC)...
NORA MARIE CORRAL (PET)...J. DAVID HORSPOOL

GENERAL INFORMATION:

Continued from **1/25/10** and **03/22/10**. Counsel stated accounting will be prepared; escrow just closed. Counsel stated that Client shall be paying the bond premium.
Continued from 4/26/10 as accounting needs to be filed.

THIS CASE SET FOR HEARING ON Accounting Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued 06/13/07, full authority \$350,000 bond.
2. 12/09/09 accounting was taken off calendar as the real property had not sold and an accounting needs to be redone.
3. Need accounting.
4. **Notice of Non-Payment of Bond Premium filed 1/6/10. Per minute order 4/26/10, this note is cleared. However, need proof of payment of bond-premium.**

RECOMMENDATION

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk to notice bond company.

(cbr/abs/kra/cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 9:00 DEPT: S33P

CASE#: SPR SS07263

CASE NAME: EST OF MABLE LOUISE BUBASH

HEARING:
Accounting Review

COUNSEL:
CHRISTINE WISCH (PET)...W TODD STEVENSON
MABLE LOUISE BUBASH (DEC)...

GENERAL INFORMATION:

Continued from 4/12/10 at request of counsel to file a petition to terminate. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 11/6/06, \$6,000 bond.
2. Last status report approved 4/6/09.
3. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

PUBLIC GUARDIAN

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: CON DS1000068

CASE NAME: ronald sage

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RONALD SAGE	(CEP)...DONNA STURGILL DIAZ

GENERAL INFORMATION

Temporary conservatorship of person and estate granted to PG on 3/29/10.

Continued from 4/26/10 at request of all counsel.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship, person and estate,
by PG

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond – Public Guardian.
2. Petitioner requests Pr.C. 2590 powers to sell real or personal property.
3. Petitioner requests medical powers. Medical capacity declaration filed.
4. Petitioner requests dementia powers (meds and placement). Dementia attachment to medical capacity declaration filed.
5. Petitioner requests authority to fund up to \$5,000 into irrevocable burial trust and to donate/abandon personal property up to \$300.
6. Return of citation filed.
7. Need report of appointed counsel Donna Sturgill Diaz.
8. CI report filed.

RECOMMENDATION

Need report of counsel. If approved, set hearing for Compliance Review for **1/24/11** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313. Set hearing re Accounting Review for **8/29/11**.

(abs/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0800300

CASE NAME: JACQULIN WATSON

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CE)...COUNTY COUNSEL
JACQULIN WATSON	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:
Continued from 3/22/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. PG appointed conservator of the estate only 3/16/09.
2. No accounting filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0900008

CASE NAME: EDWARD W KASTELIC

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
EDWARD W KASTELIC (CEP)...

GENERAL INFORMATION:
Continued from 2/22/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 02/09/09 Court appointed Public Guardian as Conservator of the person and estate.
2. No accounting filed.
3. **1/27/10 filing by PG indicates conservatee is deceased. Need final accounting.**

RECOMMENDATION:
Inquire status.
(cbr/abs/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0900039

CASE NAME: LAURA H. K. DOYEL
COMPANION FILE= PROPS0800743.

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN	(PCR)...
LAURA H.K. DOYEL	(CEP)...JAMES B CHURCH

GENERAL INFORMATION:

Continued from 12/14/09 and 3/22/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Conservatorship compliance review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Public Guardian was appointed conservator of person and estate on 5/18/09.
2. CI memo indicates conservatee is deceased and the PA has received the estate assets.
3. Need final accounting.

RECOMMENDATION

Inquire status.
(abs/kra)

FUTURE HEARINGS:

7/26/10 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02306

CASE NAME: MTR OF TIMOTHY STROUP

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

TIMOTHY STROUP (CEP)...HARTNELL HORSPPOOL & FOX
DEPT. CHILDREN'S SERVICES/CATH(CPE)...COUNTY COUNSEL
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. The period of account covers 1/12/07 – 9/15/08 (though the report states the accounting period ends 2/15/08).
2. Conservatorship established under W&I 5350 and terminated on 2/15/08.
3. Zero assets on hand.
4. Public Guardian and County Counsel waive compensation.
5. Disbursement and receipt filed indicate petitioner has distributed \$121.00 to conservatee, representing final distribution of conservatee's estate.

RECOMMENDATION:

RFA. If approved court to set hearing re final discharge for **6/27/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02957

CASE NAME: MTR RE GREGORY L BOWEN

HEARING:
Hearing Re: STATUS (TRANSFER TO LOS ANGELES)

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
GREGORY L BOWEN	(CEP)...JAMES B CHURCH
CHRISTINA ERICKSON-TAUBE	(CPE)...HORSPOOL & PARKER
CECELIA BOWEN	(CPE)...MONROE THOMAS CLEWIS
GREGORY L BOWEN	(CEP)...DUANE P BOOTH
GREGORY L BOWEN	(CEP)...HARTNELL LISTER & MOORE

No file available for review.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS4511

CASE NAME: MTR OF JERRY ROMERO

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JERRY ROMERO (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Letters expired 09-17-08.

Continued from 1/12/09, 3/20/9, 5/4/09, 8/17/09, 10/26/09, 1/11/10 and 4/12/10

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decree terminating conservatorship filed 10/9/08. Need 4th and **final** accounting. Accounting period to begin 10/23/07.
2. No accounting filed.

RECOMMENDATION:

Inquire status.
(vet/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0700059

CASE NAME: RAMON FRANCISCO FELIZ

HEARING:

Hearing Re: Termination of Conservatorship

COUNSEL:

ANTONIA R FELIZ (CP)...PRO/PER

RAMON FRANCISCO FELIZ (CTP)...

GENERAL INFORMATION:

Sister appointed conservator of the person only on 6/26/07.

THIS CASE IS SET FOR HEARING ON Termination of conservatorship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 5/10/10 Court received a report from the Court Investigator recommending the conservatorship be terminated and set this hearing.
2. No petition for termination filed.

RECOMMENDATION:

None.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0800041

CASE NAME: JAMES BYRON PRATT

HEARING:
Accounting Review

COUNSEL:
KENNETH JAMES FINUCANE (CPE)...ELISABETH KEMPE-OLINGER
LAURIE DIANNE FINUCANE (CPE)...ELISABETH KEMPE-OLINGER
JAMES BYRON PRATT (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 6/12/09 Court approved a Waiver of the 1st account; 2nd accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:

Inquire status.
(kra)

Superior Court of Calif, County of San Bernardino

Page: 34

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: RC RS00027

CASE NAME: IN THE MATTER OF BROOK STEVEN BARLOW

HEARING:

SIXTH AND CURRENT Account and Report of UNION BANK OF CALIFORNIA
and Petition for allowance of fees filed.

COUNSEL:

BETTY LEE BARLOW	(PET)...	LEROY W RICE
BROOK STEVEN BARLOW	(PCE)...	VINNEDGE GAFNEY & GLADSON
UNION BANK OF CALIFORNIA	(PCR)...	FULLERTON LEMANN SCHAEFFER & D
UNION BANK OF CALIFORNIA, N.A.	(CE)...	THOMAS W DOMINICK
WENDY SULLIVAN	(OBJ)...	JOHN M RAGER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 3/1/08 – 2/28/10 (2 years).
2. Assets on hand \$605,792.71 consisting of \$62,117.93 in cash and the balance in investments.
3. Petitioner was authorized by the court on 10/10/06 to advance itself fees as earned at 1.25%/year of the account value payable in monthly installments. Petitioner alleges petitioner did not advance any fees during the period of this account and proposes that it be allowed to charge a fee of \$7,500/year (or a total of \$15,000 over this 2 year accounting period) as this amount is less than the previously authorized fees. Petitioner further requests that the court continue to allow petitioner to advance itself fees previously authorized, but requests to increase that rate to 1.35%/year. JTD
4. Attorney requests fees of \$4,377.50. Billing is based on a rate for attorney at \$295/hour and paralegal at \$85/hour for a total of 17.9 hours. JTD
5. Attorney requests reimbursement of \$370.00 for filing the accounting. However, the cost for filing an accounting is \$355.00. Does court wish to deduct \$15.00 for a total request of \$355.00? JTD

RECOMMENDATION:

If approved, Court may wish to set the next hearing re Accounting Review for **6/27/11** or a biennial Accounting Review for **6/25/12** per Pr.C.§2620(a).

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: SC SS02929

CASE NAME: MTTR OF CAPITOLA RAMONA CARTER

HEARING:
Accounting Review

COUNSEL:	
ARAJ CARTER JR	(CPE)...PRO/PER
CAPITOLA R CARTER	(CEP)...E. JOAN NELMS
ARAJ CARTER SR	(PCR)...SUSAN
ARAJ CARTER JR	(PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Successor conservator, Araj Carter Sr., was appointed 6/30/08, no bond.
2. No accounting filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: SC SS03087

CASE NAME: MTR OF DOROTHY REBENSTORF

HEARING:

SECOND Account and Report of DAVID REBENSTORF and Petition for fees

COUNSEL:

DAVID REBENSTORF (CPE)...PRO/PER
DOROTHY REBENSTORF (CEP)...KARIN HORSPOOL
DAVID REBENSTROF (CPE)...PRO/PER

GENERAL INFORMATION:

Continued from **3/15/10** to clear notes.

Continued from 5/3/10 for notice on VA.

THIS CASE IS SET FOR HEARING ON 2nd account current and report of conservator and petition of court-appointed attorney fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 7/1/07 – 6/30/09.
2. Assets on hand \$39,842.55 consist of cash.
3. Question why a majority of assets on hand (\$29,951.18) is being held in an attorney-client trust account and thus not earning income for the benefit of the estate. Need verified supplement. Supp (4/8/10): the funds in the account consist of proceeds from the sale of conservatee's residence and placed in conservatee's account, would have effectively disqualified conservatee from MediCal benefits. However, the funds have been available and used for conservatee's care and benefit for such expenses like dentures which are not covered by MediCal.
4. Petitioner alleges that conservatee's real property remained vacant for a period of time and was burglarized with a loss of \$2,500 in personal property. Question what steps have been taken to recover the lost property (eg: police report, insurance). Need verified supplement. Supp (4/8/10): police report taken. However, there was no insurance coverage at the time of the break-in as conservatee could no longer afford it.

5. There are 6 “cash disbursements” totaling \$4,500 to various persons. Question the purpose and benefit of these disbursements. Need verified supplement. Supp (4/8/10): reimbursements for out-of-pocket expenses paid by conservatee’s children. Does Court wish to require itemization of expenses paid? JTD
6. Escrow closing statement shows a disbursement to conservator of \$12,502.64. Question the purpose and benefit of these disbursements. Need verified supplement. Supp (4/8/10): reimbursement for out-of-pocket expenses. Does Court wish to require itemization of expenses paid? JTD
7. Petitioner waives compensation.
8. Court appointed counsel for conservatee requests fees of \$2,400.00 for services during the period covering 4/1/09 – 1/31/10. Billing is based on a rate of \$250/hour for 9.6 hours. Itemized.
9. **Notice complete.**

RECOMMENDATION:

If approved, Court may wish to set the next hearing re Accounting Review for **9/13/10** or a biennial Accounting Review for **9/19/11** per Pr.C.§2620(a). Any accounting to be filed 30 days in advance.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 10:30 DEPT: S33P

CASE#: VC VS351

CASE NAME: IN THE MATTER OF ROBERT L CLINE JR

HEARING:
Accounting Review

COUNSEL:
ROBERT L CLINE JR (PLA)...
ROBERT L CLINE SR (PET)...BEST, BEST & KRIEGER, LLP
SHARON CLINE (PET)...BEST, BEST & KRIEGER, LLP

GENERAL INFORMATION:

Continued from 3/29/10 as Court instructs Court Investigator office to assist conservator in filing a waiver of account. Clerk mailed notice to Court Investigator.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/10/08 Court approved a Waiver of Account. Need accounting for period covering 2/1/08 – 1/31/10.
2. No accounting or waiver of account filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH **MISC.**

DATE: 06/21/10 TIME: 1:30 DEPT: S33P

CASE#: PRO PS0900499

CASE NAME: EDWARD MANOUGIAN

SEE ALSO 39 & 40

HEARING:
Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

COUNSEL:
MARGUERIT MANOUGIAN (PET)...SILVA BEREJIAN
EDWARD MANOUGIAN (DEC)...
MASSIS MANOUGIAN (CON)...TERRENCE F RILEY

GENERAL INFORMATION

Continued from 08/25/09 at request of counsel for publication.

Continued from 10-06-09, 12/1/09, 1/7/10 and 2/18/10 to file responsive pleadings.

Continued from 4/29/10 as matter is contested and set for MSC. Nothing new filed.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Marguerit Manougian, submits a purported will dated 10/26/07 for probate. The purported Will waives bond.
2. Notice to Petition to Administer Estate and proof of service filed. However, section 5 is not checked indicating petitioner is requesting IAEA authority. Need proper notice.
3. Proof of publication filed. However, it does not indicate the request for IAEA powers. Need correct proof of publication.
4. **Contest and Grounds of Opposition to Probate of Will is filed by Massis Manougian (son and heir of decedent). Respondent alleges that he is the executor and sole beneficiary under another Will dated 6/20/97 which is decedent's true and valid Will. Respondent further alleges the purported Will**

dated 10/26/07 was not signed by decedent in the manner required by law, and it was signed under fraud and undue influence.

5. Reply to Contest and Grounds of Opposition filed.

6. Need return of summons.

RECOMMENDATION

Contested hearing set.

(cbr/abs/vet/gls/kra)

FUTURE HEARINGS:

8/12/10 Readiness Calendar

8/12/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/12/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

8/19/10 Court Trial set for PETITION FOR WILL AND LETTERS TESTAMENTARY

8/19/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/19/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 1:30 DEPT: S33P

CASE#: PRO PS0900499

CASE NAME: EDWARD MANOUGIAN

SEE ALSO 38 & 40

HEARING:
Mandatory Settlement Conference

COUNSEL:
MARGUERIT MANOUGIAN (PET)...SILVA BEREJIAN
EDWARD MANOUGIAN (DEC)...
MASSIS MANOUGIAN (CON)...TERRENCE F RILEY

No calendar notes as this is on for Mandatory Settlement Conference.

FUTURE HEARINGS:

8/12/10 Readiness Calendar

8/12/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/12/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

8/19/10 Court Trial set for PETITION FOR WILL AND LETTERS TESTAMENTARY

8/19/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/19/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/21/10 TIME: 1:30 DEPT: S33P

CASE#: PRO PS0900499

CASE NAME: EDWARD MANOUGIAN

SEE ALSO 38 & 39

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

MARGUERIT MANOUGIAN (PET)...SILVA BEREJIAN

EDWARD MANOUGIAN (DEC)...

MASSIS MANOUGIAN (CON)...TERRENCE F RILEY

See notes on prior page (matter #38).

FUTURE HEARINGS:

8/12/10 Readiness Calendar

8/12/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/12/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

8/19/10 Court Trial set for PETITION FOR WILL AND LETTERS TESTAMENTARY

8/19/10 Hearing Re: CONTEST AND GROUNDS OF OPPOSITION

8/19/10 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: CON PS0800210

CASE NAME: KUY CHAU

HEARING:
Accounting Review

	COUNSEL:
LISA CHAN	(PCR)...TEMMERMAN & CILLEY
KUY CHAU	(PCE)...
LISA CHAN	(CE)...BETTY AUTON-BECK
DANIEL P. PHILLIPS	(TP)...

No file available for review.

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000244

CASE NAME: KATHLEEN PATRICIA O'HARA

HEARING:

Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

MICHAEL O'HARA (PET)...DUANE P BOOTH
KATHLEEN PATRICIA O'HARA (DEC)...

GENERAL INFORMATION:

Continued from 5/10/10 at request of counsel.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571. Estimated value of estate is personal property of \$20,000 and real property of \$180,000. JTD
2. Will is not self proving as there is only one witness (notary). Need points and authorities to support admission of will.
3. Need proof of publication.

RECOMMENDATION

Need to clear notes, and Court's discretion re bond. If approved, set Accounting/Status Review for **07/18/11**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(cbr/kra)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000356

CASE NAME: WOLDEAB G. SEBAHATU

HEARING:
Spousal Property Petition hearing.

COUNSEL:
DEHAB GOITOM (PET)...CHRISTINA FERRANTE
WOLDEAB G SEBAHATU (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Decedent died 5/17/06 and is survived by a spouse and 6 children.
2. Petitioner requests determination of decedent's 1/4 interest in real property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. Petitioner alleges that she and decedent purchased the real property during their marriage along with three of their children. Petitioner alleges that the property title was transferred into decedent's name on 10/31/02 at the time the property was refinanced. However, petitioner has not stated when the marriage began, when the property was originally acquired, how the property was acquired (i.e.: with community or separate assets) or how title was originally taken. Need verified supplement.

RECOMMENDATION:

Need to clear note 3, then Court's discretion.

(kra)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000368

CASE NAME: MTR OF THE SAM A ZANINI LIVING TRUST

HEARING:

Petition for TO DETERMINE EXISTENCE AND VALIDITY OF TRUST AND
PURPORTED AMENDMENT THERETO TO CONSTRUE ETC

COUNSEL:

ARTHUR ZANINI (PET)...FULLERTON LEMANN SCHAEFFER & D
THE SAM A ZANINI LIVING TRUST (TRU)...

No notes at this time as the file is currently in review by Legal Research.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0700502

CASE NAME: ELIZABETH ELLEN VAUGH

HEARING:
Hearing re Final Discharge

COUNSEL:
MADELINE C DOUGLAS (PET)...PRO/PER
ELIZABETH ELLEN VAUGH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/15/09.
2. All receipts filed.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0700666

CASE NAME: MARXINE OLSEN

HEARING:
Accounting Review

	COUNSEL:
LYNETTE MAXEY	(PET)...FULLERTON LEMANN SCHAEFFER & D
MARXINE OLSEN	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge
(not an accounting review)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/15/09.
2. Receipt of distribution filed.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0701024

CASE NAME: BOBBIE J TUNSTALL

SEE ALSO 7A

HEARING:
Hearing re Final Discharge

COUNSEL:
ALFRED DELCOME (PET)...JOSEPHINE A. RICH
BOBBIE J TUNSTALL (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/15/09.
2. All receipts filed except from Lawrence Tunstall. (See petition to deposit funds on next page.)
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:
See matter on next page.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0701024

CASE NAME: BOBBIE J TUNSTALL

SEE ALSO 7

HEARING:

Petition for AN ORDER TO DEPOSIT FUNDS HELD BY THE ESTATE FOR
LAWRENCE STALL W/ THE SAN BDNO CO. TREASUER

COUNSEL:

ALFRED DELCOME	(PET)...	JOSEPHINE A. RICH
BOBBIE J TUNSTALL	(DEC)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition to deposit funds with the County
Treasurer

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/15/09 and all receipts have been filed except for Lawrence Tunstall.
2. Petitioner alleges that after a diligent search the whereabouts of Mr. Tunstall are unknown.
3. Petitioner requests to deposit Lawrence Tunstall's distributive share of the estate with the San Bernardino County Treasurer.
4. Petitioner also requests the estate administration continue for three months.
(See notes on prior page.)
5. Need notice of hearing and proof of service.

RECOMMENDATION:

Need notice, then Court's discretion.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800754

CASE NAME: George P Gonzales Sr

HEARING:
Accounting Review

COUNSEL:
GEORGE GONZALES JR (PET)...FULLERTON LEMANN SCHAEFFER & D
GEORGE P GONZALES SR (DEC)...

GENERAL INFORMATION:
Continued from 1/7/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters testamentary issued 10/30/08, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq. No bonding company to notice.

(fhl/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800792

CASE NAME: MTR OF ROGER EUGENE BROOKS II

HEARING:

FIRST AND FINAL Account and Report of CAROLYN F BROOKS and
Petition for allowance of fees filed.

COUNSEL:

CAROLYN F BROOKS (PET)...BETTY AUTON-BECK
ROGER EUGENE BROOKS II (DEC)...

GENERAL INFORMATION

Continued from **03/08/10** and **4/19/10**. Guardianship petition to be filed.

Continued from 5/17/10 No appearance and nothing new filed. Court directs parties to appear. Clerk mailed notice. Nothing new filed.

THIS CASE SET FOR HEARING ON Petition for Final Account, Distribution and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney is requesting statutory fees of \$6,247.70. Calculated.
3. Petitioner is requesting to leave shares distributable to the decedent's minor sons on deposit with AG Edwards and block their accounts from withdrawal without further court order. **Supp: At 4/19/10, court was advised that guardianship petition would be filed. Need status re same.**

RECOMMENDATION

RFA subject to court's determination re note 3. If approved, set hearing re proof of blocked account in 60 days and set hearing on filing receipts and final discharge for **6/27/11**.

(cbr/abs/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800878

CASE NAME: CORRINE LONDON

HEARING:
Accounting Review

COUNSEL:
VERNA L BARBRE (PET)...WILLIAM M NASSAR & ASSOCIATES
CORRINE LONDON (DEC)...
DEPT OF HEALTH CARE SERVICES (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 4/13/09, no bond.
2. Notice of hearing for 3/15/10 filed. However, no status report was filed and no hearing was actually set.
3. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800942

CASE NAME: CHARLOTTE SARAH YALE

HEARING:

FIRST AND FINAL Account and Report of DAVID HANSEN and Petition for fees

COUNSEL:

DAVID HANSEN (PET)...RITTER & LE CLERE
CHARLOTTE SARAH YALE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need notice of hearing and proof of service including Franchise Tax Board per Pr.C. §9202(c)
2. Petitioner and attorney request statutory fees of \$9,298.47 ok
3. Petitioner requests to withhold \$5,000 for closing expenses.
4. Need order submitted after hearing.

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **6/27/11**.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900018

CASE NAME: TERI ROBINSON

HEARING:
Accounting Review

COUNSEL:
DANA J. SHERWOOD (PET)...BRADLEY
TERI ROBINSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 4/21/09, no bond.
2. No inventory filed. Need final I&A.
3. No accounting or status report of administration filed. Need same.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900182

CASE NAME: MTR OF PATRICIA BETH MELE

HEARING:
Accounting Review

COUNSEL:
DEAN EDWARD MELE (PET)...PRO/PER
PATRICIA BETH MELE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 4/20/09, no bond.
2. Final I&A filed. However, need account statements confirming date of death balance per Local Rule 20-908.
3. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: RPR RS02832

CASE NAME: JOHN H HAWKINS

HEARING:
Accounting Review

COUNSEL:
JUSTIN C HAWKINS (PET)...ROBBINS & HOLDAWAY
JOHN H HAWKINS (DEC)...

GENERAL INFORMATION:

Continued from 2/18/10 at request of counsel as stock is being liquidated.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Letters of Administration issued 1/12/06, full authority no bond.
2. Third status report approved on 10/15/09
3. Need accounting.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(fhl/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: SPR SS06134

CASE NAME: MTR OF ROBERT JOHN SIPCHEN SR

HEARING:

REPORT OF CO-ADMINISTRATORS AND WAIVER OF Account and Report of
TIMOTHY J SIPCHEN, ROBERT J SIPCHEN JR and Petition for
allowance of fees filed.

COUNSEL:

TIMOTHY J SIPCHEN (PET)...MARTIN E KELLER
ROBERT J SIPCHEN JR (PET)...MARTIN E KELLER
ROBERT JOHN SIPCHEN SR (DEC)...

GENERAL INFORMATION

Continued from **01/11/10, 03/08/10** and **04/12/10** at request of counsel to file supplement.
Nothing new filed.

Continued from 5/17/10 at request of counsel to clear notes. Nothing new filed.

THIS CASE SET FOR HEARING ON Petition for Waiver of Account and Petition for Final
Distribution.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are sole heirs and waive accounting.
2. Petitioners waive statutory commission.
3. Attorney waives statutory fees.
4. Petition is not verified by co-administrators per Pr. C. § 1021. Need same.
5. Petitioners indicate that the distribution goes to co-administrators as trustees of the Sipchen Trust. Question who the beneficiaries of the trust are? Need verified supplement and notice to any beneficiaries.
6. The petition includes an agreement regarding the rebuilding of the real property and distribution. The agreement mentions a "Bob, Laurie and Tim". Question who the parties are, as there is no last name? Need verified supplement.
7. Has all cash been kept in interest bearing accounts (Pr.C.§1064(a)(5))? File verified supplement.
8. Need statement of compliance with Pr.C.§9202(b) re notice to the California Victim Compensation Board.

9. Need statement of compliance with Pr.C.§9202 re notice to Director of Health Services per local rule 20-907(e).

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 05/23/11.

(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: SPR SS07196

CASE NAME: ESTATE OF REBECCA ANTHONY WOODS

HEARING:
Hearing re Final Discharge

COUNSEL:
BENITA H BONDS (PET)...MICHAEL I BURSTEIN
REBECCA ANTHONY WOODS (DEC)...
AMERICAN CONTRACTORS INDEMNITY(TP)...TRACY A STEVENSON

GENERAL INFORMATION

Continued from 5/17/10 at request of counsel to file receipt.

THIS CASE SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter re-set on 04/12/10 when settlement agreement was not yet filed. Settlement agreement since filed with order signed.
2. Need receipt from Angela Sowers for bond judgment.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.
(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: SPR SS07202

CASE NAME: ESTATE OF DANIEL M GRUNER

HEARING:
Hearing re Final Discharge

COUNSEL:
MARK GRUNER (PET)...JAMES B CHURCH
DANIEL M GRUNER (DEC)...
MARK GRUNER (PET)...JAMES B CHURCH
BURDETTE M GARVIN/PROBATE REFE(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/15/09.
2. Need receipts of distribution.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 9:00 DEPT: S34P

CASE#: SPR SS07234

CASE NAME: MTR OF BRUCE E WARD

HEARING:
Accounting Review

COUNSEL:
TIMOTHY P RAMIREZ (PET)...ROGER VON KAESBORG
BRUCE E WARD (DEC)...
DOLORES HELEN PROUD (PET)...HARTNELL LISTER & MOORE
DARREL LAWRENCE QUALLS (TP)...BRYAN C. HARTNELL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 10/19/06, limited authority, no bond.
2. Last status of administration report approved 5/28/09.
3. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 06/21/10 TIME: 10:30 DEPT: S34P

CASE#: SC SS02092

CASE NAME: MTR OF SAM J. MINEO

HEARING:
Accounting Review

COUNSEL:
JOSEPH C. MINEO (CPE)...D. HERSHEL W ILSON
SAME J. MINEO (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 5/28/09 Court approved a Waiver of account; accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 10:30 DEPT: S34P

CASE#: SC SS02586

CASE NAME: MTR OF MARY DONNELLAN

HEARING:
Accounting Review

COUNSEL:
MARY LYNN CLARK/DRCTR OF INLD (CE)...BRUNICK MCELHANEY & BECKETT
MARY DONNELLAN (CTE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 7/22/08 Court waived all future accountings for the SNT and approved a Waiver of the 3rd Conservatorship account; 4th accounting now due.
2. Need an accounting or waiver of account for the Conservatorship.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 10:30 DEPT: S34P

CASE#: CON PS0900091

CASE NAME: RAY ALLEN YOUNG

SEE ALSO 17B

HEARING:

FIRST AMENDED FIRST Account and Report of CYNDY JOHNSON and
Petition for allowance of fees filed.

COUNSEL:

CYNDY JOHNSON	(CPE)...PAUL R HORNAK
RAY ALLEN YOUNG	(CEP)...SHERRI L KASTILAHN
MARINA KRANZ	(TP)...ZUMBRUNN LAW CORPORATION

GENERAL INFORMATION:

Continued from 5/17/10 at request of counsel.

THIS CASE SET FOR HEARING ON First Amended Account and Petition for Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 05/27/09 – 09/17/09.
2. Assets on hand \$171,324.10 (\$80,000 in real property and remainder in cash).
3. Copies of bank statements provided. Need original statements per Pr. C. § 2620 (c)(1)(2).
4. Need statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary Pr. C. § 1064(a)(4).
5. Need statement re cash has been in an interest bearing account Pr. C. § 1064(a)(5).
6. Attorney appears to have amended fee request. See next matter as the fees and reimbursements appear to have been combined in both reports .
7. Need proposed order.

RECOMMENDATION

Need to clear notes.

(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/21/10 TIME: 10:30 DEPT: S34P

CASE#: CON PS0900091

CASE NAME: RAY ALLEN YOUNG

SEE ALSO 17A

HEARING:

FINAL Account and Report of CYNDY JOHNSON and Petition for allowance of fees

COUNSEL:

CYNDY JOHNSON	(CPE)...PAUL R HORNAK
RAY ALLEN YOUNG	(CEP)...SHERRI L KASTILAHN
MARINA KRANZ	(TP)...ZUMBRUNN LAW CORPORATION

GENERAL INFORMATION

Continued from 5/17/10 at request of counsel.

THIS CASE SET FOR HEARING ON Petition for Final Account and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 09/18/09 – 11/15/09.
2. Assets on hand (\$80,000 in real property). Petitioner indicates that the liquid assets have previously been disbursed as beneficiary accounts and that the real property will be transferred via probate proceedings.
3. Conservatee died on 09/17/09.
4. Attorney is requesting \$5,335.00 in fees (\$4,372.50 1st account and \$962.50 final account) for 21.34 hours at \$250 per hour; which \$2,375.00 is due. Itemized. JTD
5. Petitioner is requesting reimbursement for attorney costs and filing fees totaling \$3,665.00. Itemized. JTD
6. Need statement re proposed distribution of the real property.
7. Need statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary Pr. C. § 1064(a)(4).
8. Need proposed order.

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 05/23/11.

(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN **MISC.**

DATE: 06/21/10 TIME: 1:30 DEPT: S34P

CASE#: SPR SS07054

CASE NAME: RE: ROWLAND FAMILY TRUST

HEARING:
Hearing Re: COURT TRIAL

COUNSEL:

RICHARD ROWLAND (PET)...RICHARD L BARRETT
CHARLOTTE GRAVES (PET)...RICHARD L BARRETT
WILLIAM B RICHARDSON (PET)...ROBERT A KRASNEY
ROWLAND FAMILY TRUST DATED 1/2(TRU)...
JEFFREY ORNELAS (TP)...HARTNELL LISTER & MOORE

No calendar notes as this is on for Court Trial.